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November 8, 2012

**VIA ECF**

The Honorable Judge Sandra L. Townes  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**RE: Pinkesz v. Portfolio Recovery Associates**  
**1:12-cv-02508-SLT-JO**

Dear Judge Townes:

I represent the plaintiff in the above referenced matter. Instead of answering the complaint, the defendant has filed a motion for a pre motion conference for permission to file motion to dismiss. The plaintiff has amended the complaint. The first amended complaint currently does not contain any allegation as to the filling of a certificate of publication, thus mooting the issue. The first amended complaint also clearly describes the alleged debt that Defendant sought to collect from the Plaintiff as a consumer debt, which was incurred primarily for personal, family, or household purposes.

Although the defendant is always free to request a pre motion conference for permission to file motion to dismiss, the record now reflects that after the filling of the first amended complaint, all of those issues are now moot. In the interest of a useful expenditure of the parties' time, we ask that the court deny the request for a pre motion conference unless the defendant can now show a reason to seek permission to file a motion to dismiss.

Very Truly Yours,

/s/

Maxim Maximov, Esq.